

STATE OF NEW YORK  
COURT: UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

INDEX NO: 07CIV.6151  
Date Filed: 6/29/2007

Plaintiff(s)/Petitioner(s) ROBERT GEORGIO

Defendant(s)/Respondent(s) O'BRIEN & TAYLOR, ET AL

Vs

STATE OF MASSACHUSETTS

COUNTY OF: ESSEX

SS.

The undersigned deponent, being duly sworn deposes and say that said deponent is not a party to this action, is over 18 years of age and resides in the State of MASSACHUSETTS Deponent served the within process as follows:

Process Served: SUMMONS, COMPLAINT, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEALS; Individual Practices of  
Party Served: SCHWARTZ & BENJAMIN INC. A/K/A BDS, INC. Judge Charles L. Brieant; and Procedural  
At Location: 100 MARINE BLVD. Hints and Requirements for Trials, Judge Charles L. Brieant

LYNN, MA 01903

Date of Service

7-12-07

Time of service

12:00 PM.

SERVED at 1 First Street, Peabody, Ma.

☒ Check boxes that apply to this service:

- ☐ #1, INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- ☒ #2 CORPORATION By delivering to and leaving with Robert Sabelli and that deponent knew the person so served to be the Controller of the corporation and authorized to accept service.
- ☐ #3, SUITABLE AGE PERSON By delivering to and leaving with \_\_\_\_\_ a person of suitable age and discretion Said premises is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.
- ☐ #4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.
- ☐ #5 MAILING COPY On \_\_\_\_\_, deponent completed service under the last two sections by depositing a copy of the \_\_\_\_\_ to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of \_\_\_\_\_ Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion having called thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

- ☐ #6, NON-SERVICE After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown Address [ ] Evading [ ] Moved left no forwarding [ ] Address does not exist [ ] Other \_\_\_\_\_

- ☒ #7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
Sex: M Color of Skin: W Color of Hair: Brown Age: 40-50 Height: 5'4"  
Weight: 150 Other Features \_\_\_\_\_

- ☐ #8 WITNESS FEES \$ \_\_\_\_\_ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient

- ☐ #9, MILITARY SERVICE Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed \_\_\_\_\_ was not.

Sworn to before me on

7-16-07

*Debra Larson*

Debra Larson  
NOTARY PUBLIC

My commission expires Oct. 25, 2013

*JoAnn Marquis* 7/16/07

JoAnn Marquis